GAU 1801

Patent Docket P1129#5/ID

5-30-98 Ki)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In e Application of

Ashkenazi et al.

Serial No.: 08/918,874

Filed: 26 August 1997

For: RTD RECEPTOR

Group Art Unit: 1801

Examiner: To Be Assigned

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Assistant Commissioner of Patents, Washington, D.C. 20231 on

May 20, 1998,

Janet Tse

INFORMATION DISCLOSURE STATEMENT

Assistant Commissioner of Patents Washington, D.C. 20231

Sir:

Applicants submit herewith patents, publications or other information (attached hereto and listed on the attached Form PTO-1449) of which they are aware, which they believe may be material to the examination of this application and in respect of which there may be a duty to disclose in accordance with 37 CFR §1.56.

This Information Disclosure Statement:

- (a) [] accompanies the new patent application submitted herewith. 37 CFR §1.97(a).
- (b) [] is filed within three months after the filing date of the application or within three months after the date of entry of the national stage of a PCT application as set forth in 37 CFR§1.491.
- (c) [X] as far as is known to the undersigned, is filed before the mailing date of a first Office action on the merits.
- (d) [] is filed after the first Office Action and more than three months after the application's filing date or PCT national stage date of entry filing but, as far as is known to the undersigned, prior to the mailing date of either a final rejection or a notice of allowance, whichever occurs first, and is accompanied by either the fee (\$240) set forth in 37 CFR \$1.17(p) or a statement as specified in 37 CFR \$1.97(e), as checked below. Should any fee be due, the U.S. Patent and Trademark Office is hereby authorized to charge Deposit Account No. 07-0630 in the amount of \$240.00 to cover the cost of this Information Disclosure Statement. Any deficiency or overpayment should be charged or credited to this deposit account. A duplicate of this sheet is enclosed.

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(e) [] is filed after the mailing date of either a final rejection or a notice of allowance, whichever occurred first, and is accompanied by the fee (\$130) set forth in 37 CFR §1.17(i) and a statement as specified in 37 CFR §1.97(e), as checked below. This document is to be considered as a petition requesting consideration of the information disclosure statement. The U.S. Patent and Trademark Office is hereby authorized to charge Deposit Account No. 07-0630 in the amount of \$130.00 to cover the cost of this Information Disclosure Statement. Any deficiency or overpayment should be charged or credited to this deposit account. Aduplicate of this sheet is enclosed.

[If either of boxes (d) or (e) is checked above, the following statement under 37 CFR §1.97(e) may need to be completed.] The undersigned states that:

- [] Each item of information contained in the information disclosure statement was cited in a communication mailed from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this information disclosure statement.
- No item of information contained in this information disclosure statement was cited in a communication mailed from a foreign patent office in a counterpart foreign application and, to the knowledge of the undersigned after making reasonable inquiry, was known to any individual designated in 37 CFR §1.56(c) more than three months prior to the filing of this information disclosure statement.

A list of the patent(s) or publication(s) is set forth on the attached Form PTO-1449 (Modified). A copy of the items on PTO-1449 is supplied herewith:

[X] each [] none [] only those listed below; except those items marked with an asterisk (*).

A concise explanation of relevance of the items listed on PTO-1449 is:

- [X] not given
- [] given for each listed item
- [] given for only non-English language listed item(s) [Required]
- [] in the form of an English language copy of a Search Report from a foreign patent office, issued in a counterpart application, which refers to the relevant portions of the references.

The Examiner is reminded that a "concise explanation of the relevance" of the submitted prior art "may be nothing more than identification of the particular figure or paragraph of the patent or publication which has some relation to the claimed invention," MPEP §609.

While the information and references disclosed in this Information Disclosure Statement may

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be "material" pursuant to 37 CFR §1.56, it is not intended to constitute an admission that any patent, publication or other information referred to therein is "prior art" for this invention unless specifically designated as such.

In accordance with 37 CFR §1.97(g), the filing of this Information Disclosure Statement shall not be construed to mean that a search has been made or that no other material information as defined in 37 CFR §1.56(a) exists. It is submitted that the Information Disclosure Statement is in compliance with 37 CFR §1.98 and MPEP §609 and the Examiner is respectfully requested to consider the listed references.

Respectfully submitted,

GENENTECH, INC.

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U.S. Dept. of Commerce

Patent and Trademark Office

Serial No. Atty Docket No. 08/918,874 P1129

Applicant

Ashkenazi et al.

Filing Date 26 Aug 1997 Group 1801

LIST OF DISCLOSURES CITED BY APPLICANT

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Examiner

Date Considered

^{*}Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

Serial No. Atty Docket No. FORM PTO-1449 U.S. Dept. of Commerce 08/918,874 P1129 Patent and Trademark Office LIST OF DISCLOSURES CITED BY APPLICANT **Applicant** Ashkenazi et al. Filing Date Group MAY (Use gareral sheets if necessary) 1801 26 Aug 1997 FOREIGN PATENT DOCUMENTS Translation Initials Document Number Date Class Subclass Country Yes Nο WO 87/05330 11.09.87 34 PCT WO 89/02922 06.04.89 PCT 35 WO 89/05859 29.06.89 PCT WO 90/13646 15.11.90 PCT 37 WO 91/00358 38 10.01.91 PCT WO 91/00360 10.01.91 PCT 39 WO 92/20373 26.11.92 PCT 40 WO 93/08829 13.05.93 РСТ 41 WO 94/04679 03.03.94 PCT WO 94/04690 03.03.94 PCT WO 94/29348 22.12.94 PCT 44 2,211,504 05.07.89 UNITED KINGDOM OTHER DISCLOSURES (Including Author, Title, Date, Pertinent Pages, etc.) Mammalian Cell Biotechnology: A Practical Approach, M. Butler, ed., IRL Press (1991) * 46 Tissue Culture, Kruse and Patterson, eds., Academic Press (1973) * 47 Adams et al., "Molecular cloning of mouse immunoglobulin heavy chain messenger ribonucleic acids coding for μ , α , γ 1, γ 2a, and γ 3 chains Biochemistry 19:2711-2719 (1980) Amakawa et al., "The Hodgkin Disease Antigen CD30 is Crucial for Antigen-induced Death of Developing T Cells" Cold Spring Harbor Laboratory Symposium on Programmed Cell Death (Abstr. No. 10) (1995) Aplin et al., "Preparation, Properties, and Applications of Carbohydrate Conjugates of Proteins and Lipids" CRC Crit. Rev. Biochem. 10(4):259-305 (1981) 50 "Ashkenazi et al., "Protection Against Endotoxic Shock by a Tumor Necrosis Factor Receptor Immunoadhesin Proc. Natl. Acad. Sci. 88:10535-10539 (1991) 51 Baldwin, "The NF-KB and IKB Proteins: New Discoveries and Insights" Ann. Rev. Immunol. 14:649-681 (1996) 52 Banerji et al., "A Lymphocyte-specific Cellular Enhancer Is Located Downstream of the Joining Region in 53 Immunoglobulin Heavy Chain Genes" Cell 33:729-740 (July 1983) Banner et al., "Crystal Structure of the Soluble Human 55 kd TNF Receptor-Human TNFB Complex: Implications for TNF Receptor Activation" Cell 73:431-445 (1993) 54 Barr et al., "Apoptosis and Its Role in Human Disease" Bio/Technology 12:487-493 (1994) 55 Bianchi et al., "Transformation of the yeast Kluyveromyces lactis by New Vectors Derived from the 1.6 μm Circular Plasmid pKD1" Curr. Genet. 12:185-192 (1987) Bodmer et al., "TRAMP, a Novel Apoptosis-Mediating Receptor with Sequence Homology to Tumor Necrosis Factor Receptor 1 and Fas(Apo-1/CD95)" Immunity 6:79-88 (1997) Examiner Date Considered *Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

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